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**J.B. VAN HOLLEN
ATTORNEY GENERAL**

NEWS RELEASE

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ENBRIDGE ENERGY SETTLES STATE LAWSUIT OVER AIR POLLUTION VIOLATIONS FOR \$1,000,000

SUPERIOR – Enbridge Energy, Limited Partnership has agreed to pay \$1,000,000 to settle state claims under Wisconsin's air pollution laws. The judgment resolves charges that Enbridge Energy failed to comply with certain requirements under those laws at its crude oil pipeline breakout storage terminal in Superior, Wisconsin.

Enbridge Energy's facility in Superior is a stationary source of air contaminants under Wisconsin law, which transports crude oil, diluents, condensates, and natural gas liquids, and stores crude oil and condensates.

Under Wisconsin law, Enbridge Energy was required to obtain and follow permits that governed its operation and maintenance of the facility. According to the complaint, at various times since 2001, Enbridge Energy violated state air requirements by operating the Facility without the proper air pollution control operation permit, commencing construction without a construction permit, failing timely to repair seals on storage tanks and to report the repairs, failing to conduct timely inspections of the internal floating roofs on the tanks, maintaining noncompliant stack dimensions, noncompliant tank seals, noncompliant operation of automatic bleeder vents and ungasketed fittings on the tanks, failing to maintain up-to-date design drawings and tank documentation, failing to timely complete painting one tank roof white, and underpaying air emission fees.

Enbridge has since the identification of the initial violations contained in the complaint worked with the Department of Natural Resources to resolve the violations, including undertaking a comprehensive air evaluation of the tanks and associated components and emissions at its facility, and instituting procedures to ensure future environmental compliance.

In announcing the settlement, Attorney General J.B. Van Hollen stressed the importance of proper permitting, monitoring and operation of such a large source of air emissions. "This action will help encourage the protective measures that Wisconsin requires in its air pollution control program," Van Hollen said. "The Wisconsin Department of Justice will continue to work with the DNR to ensure that Wisconsin's citizens and natural resources are protected through compliance with the law."

The filings in this case are available at:

http://www.doj.state.wi.us/news/files/stip_order_for_jgmt_final.pdf

http://www.doj.state.wi.us/news/files/judgment_final.pdf

http://www.doj.state.wi.us/news/files/Enbridge_complaint.pdf

Assistant Attorney General JoAnne F. Kloppenburg prosecuted the case. Dane County Circuit Court Judge Peter C. Anderson approved the settlement.

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